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UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 00-00213 (WHA)
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	FORM OF ORDER REGARDING THE
v.)	SCHEDULING OF THE SENTENCING
)	HEARING
)	
DOMINICK DEROSA,)	Date: March 30, 2010
)	Time: 2:00 p.m.
)	Place: Courtroom #9
Defendant.)	

Pursuant to Criminal Local Rule 47-4, the United States hereby submits this stipulation and proposed form of order with regard to the scheduling of the sentencing hearing in this case. Presently, the Court has scheduled the sentencing hearing for this case on March 30, 2010 at 2:00 p.m. For the reasons set forth below, the parties and the United States Probation Office request that this sentencing hearing be continued to April 20, 2010 at 2:00 p.m. or such other date on or after April 19, 2010 as may be convenient for the Court.

On March 5, 2010, the Court conducted the sentencing hearing of a related case, *United States v. Charles W. McCall*. In that related case, the United States took the position that the loss

1 in that case exceeded \$8.6 billion. In this case, defendant Dominick DeRosa left HBOC before
 2 April 1999 and before the events that supported the government's loss calculation in the *McCall*
 3 case. United States Probation Officer Benjamin Flores has requested additional time beyond
 4 March 30, 2010 to evaluate the loss as it relates to defendant DeRosa and prepare the Pre-
 5 Sentence Report in this case. Counsel for the United States and counsel for defendant DeRosa
 6 both join in the request for a continuance of the sentencing hearing in this case for this purpose.

7 The earliest date when all parties would be available to proceed with the sentencing
 8 hearing would be the week of April 19, 2010. For that reason, the parties and the United States
 9 Probation Office request that this sentencing hearing be continued to April 20, 2010 at 2:00 p.m.
 10 or such other date on or after April 19, 2010 as may be convenient for the Court.

11 DATED: March 15, 2010

Respectfully submitted,

12 DAVID L. ANDERSON
 13 Acting United States Attorney

14 By: /s/

15 _____
 16 Adam A. Reeves
 17 Assistant United States Attorney

18 **[PROPOSED] ORDER**

19 Pursuant to stipulation, it is SO ORDERED that the sentencing hearing in this case shall
 20 be continued to April 27, 2010 at 2:00 p.m.
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